

In re: Simmons
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REMARKS

Status of the Claims

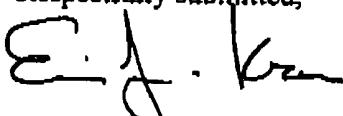
Claim 1 has been amended without prejudice to or disclaimer of the subject matter therein such that it now recites the following: "An isolated nucleic acid comprising a polynucleotide having at least 75% sequence identity to SEQ ID NO:1, wherein said polynucleotide encodes a maize AFP1 protein, or a complement of said polynucleotide." Support for this amendment is found in the specification at page 28, line 24. Claims 13-17 have been amended to recite "a polynucleotide encoding a polypeptide comprising SEQ ID NO:...." Support for these amendments can be found in original claim 1. Therefore, no new matter has been added by amendment. Claims 1-17 are now pending.

Examiner Interview

Applicant wishes to thank the Examiner for the telephone communications of June 5 and 12, 2003, during which the amendments presented herein above were discussed.

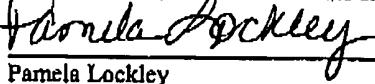
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It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at
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Pamela Lockley

June 13, 2003

Date

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